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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,379	01/25/2001	Alan Metcalfe	D5045-00003	6447

7590 05/19/2005
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EXAMINER

POINVIL, FRANTZY

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/771,379		METCALFE, ALAN	
	Examiner		Art Unit	
	Frantzy Poinvil		3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

[Handwritten mark]

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-17 remain rejected under 35 U.S.C. 102(b) as being anticipated by Universal News Services, Limited 1999, "Ambalink Launches Secure Online Shopping in the UK.

As per claims 1-17, all the claimed limitations are taught by the teachings disclosed by Universal News services referring to the Ambalink system. A system and method for negotiating between agents (sellers/buyers) of an electronic transaction are provided. The system comprises user interface means for determining the rights and abilities of users within the electronic business system and requiring a common format for transaction data used in the system, a common market permitting users employing the user interface means to locate propositions of interest and to negotiate transactions and a central clearinghouse for authorization and authentication of users.

Information related to a particular transaction or transaction data are entered and registered or stored in the system. Credit terms and electronic funds for executing the transaction are performed. The fulfillment of the transaction is also performed. Note the entire article.

Response to the Applicant Amendment:

2. Applicant has amended the claims and argues that the teachings of the applied reference fails to teach or suggest the claimed invention because there includes no teachings of any particular structure in the reference.

In response, the Examiner strongly disagrees with the applicant's arguments. In the Ambalink system, there is inherently included a general first screen or welcome screen or interface being in a fixed format, one more interfaces for viewing of goods, shopping, making payments or comments, or delivery, authenticating of users and merchants so as to differentiate the different functions of the Ambalink systems.

The Ambalink system comprises a system and method in which users enroll in the Ambalink system and in the KLELine credit systems using one or more screen or interface. Buyers access merchants' websites, view items of interest, check pricing and delivery information, make purchases and request authorization of payment using one or more different interface. Buyers and merchants are also authenticated. In the article, it is stated, "KLELine authenticates all participants, seeks credit card validation, authorization and clearance of funds, before passing to the merchant so the goods can be shipped to the buyer". The system includes a plurality of interfaces and associated financial systems.

In the Ambalink system it is taught, an electronic system for managing, processing and automating electronic activity, comprising: a fixed common user

interface that includes means through the use of a plurality of secondary interfaces for gathering and structuring data, for determining the rights and abilities of users within the system by means of a common data format and operating rule for creating, storing, and transaction of data used in the system, a central clearinghouse for authorizing and authenticating users; and a common market permitting users employing the system to locate propositions of interest and to negotiate and fulfill transactions.

In the Ambalink system, the user interface requires the user to provide, before the system will accept and undertake any activity, who/what information relating to the activity, why/how information relating to the activity, and where/when information relating to the activity, input according to the common data format and operating rule.

In the Ambalink system, the activity is a proposed business transaction, and upon the user interface receiving said who/what, why/how and where/when information, the selected information relating to the activity is automatically filed as a database object that is formatted according to the common data format and operating rule to be available for searching in at least one of the group consisting of the user's database and via a common market.

In the Ambalink system, the who/what information identifies a product, said why/how information identifies the product as being for sale, and said where/when information identifies details of fulfillment of a sale of a product.

Thus, all the claimed features are taught by the Ambalink system.

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

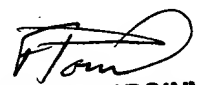
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday-Thursday.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3628

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FP
May 10, 2005


FRANTZY PONNUL
PRIMARY EXAMINER
Au 3628